



Little Doney Lake Habitat Acquisition Project *Draft* Environmental Assessment

A Proposal by
Montana Fish, Wildlife & Parks
to Acquire 2,623 acres adjacent to the
Blackfoot-Clearwater Wildlife Management Area,
Ovando Mountain Unit

and to purchase a Conservation Easement
on the 1,103-acre Little Doney Lake property

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Draft Environmental Assessment
(October 15, 2008)

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INTRODUCTION

Montana Fish, Wildlife & Parks (FWP) invites the public to comment on this proposal to:

1. Purchase fee title to approximately 2,623 acres, in three distinct parcels, from The Nature Conservancy, for approximately \$1,522,355.
2. Purchase a conservation easement across approximately 1,103 acres of the Little Doney Lake (South) parcel for approximately \$323,626 after partners' match contributions are applied.

Funding for these transactions would come from FWP's Habitat Montana Program, a US Fish & Wildlife Service (USFWS) Native Fish Habitat Conservation Plan (NFHCP) grant, a Montana Migratory Bird Stamp Program grant (prospective), a USFWS North American Wetland Conservation Act (NAWCA) grant, a Montana Fish and Wildlife Conservation Trust grant, the Blackfoot Challenge, and private donations. Little Doney Lake Habitat Acquisition Project lands are adjacent to the Ovando Mountain Unit of the Blackfoot-Clearwater Wildlife Management Area (BCWMA) in the middle Blackfoot Watershed. Subject lands are part of the larger Blackfoot Community Project, through which The Nature Conservancy (TNC) and the Blackfoot Challenge have purchased 90,000 acres of former Plum Creek Timber Company (PCTC) lands and are working to transfer them to public agencies, neighboring landowners, and local communities. Subject lands consist of three distinct parcels (Figure 1):

- Sections 17 & 18 (S17 & S18); "North Parcel"—This parcel (1,280 acres) is located directly south and adjacent to of the BCWMA. These parcels are currently encumbered by a conservation easement held by the USFWS. They are entirely within FWP mapped *crucial* elk winter range, provide seasonal and year-round habitat for a host of other wildlife species, and would provide FWP administrative access to the WMA that it currently lacks. TNC has agreed to sell the underlying fee title to FWP at their cost basis plus actual carrying cost, projected to be \$407 an acre at the end of 2008.
- Little Doney Lake; "South Parcel"—This parcel is 1,103 acres and includes Little Doney Lake. This tract was purchased by TNC in 2006 in response to an imminent threat of sale and development by PCTC. These lands have extensive emergent and seasonal wetlands,

dispersed aspen galleries, fescue grasslands, shrub cover, and conifer stands. This parcel is also important elk and deer winter range, hosts nesting loons, has important trumpeter swan nesting habitat, is heavily used by grizzly bears, and was identified by fisheries biologists as important to protecting the adjacent North Fork of the Blackfoot River (a critical bull trout and westslope cutthroat trout stream). The Little Doney Lake parcel is not currently protected by a conservation easement, and there are no buildings or developments on site. A year-round county road accesses the SE corner of this parcel.

- Elk Mountain; “Northeast Parcel”—Two hundred twenty acres immediately east of the BCWMA. These lands would be donated to FWP at no cost by TNC, thus helping to consolidate FWP ownership and facilitate administration of the WMA.

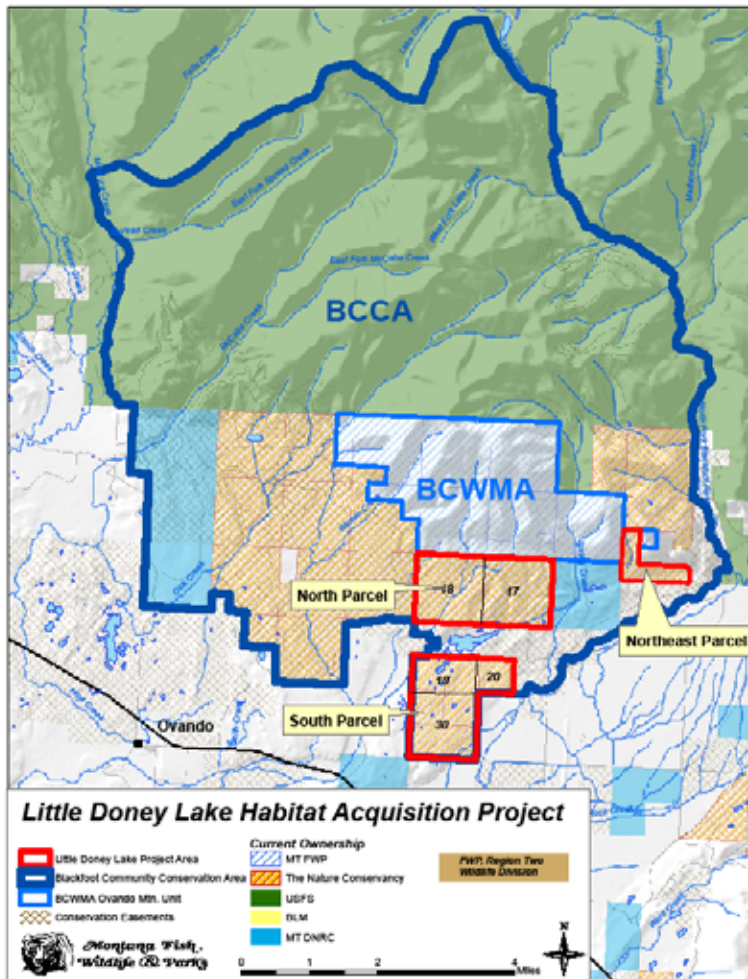


Figure 1. Location of subject parcels and adjacent land ownership, Little Doney Habitat Acquisition Project.

Several public and private partners have committed funds (approximately 45% of total Project cost) to help purchase a conservation easement on the Little Doney Lake parcel. Although FWP would, for a time, hold both fee title and the conservation easement on this parcel, it may consider a later trade of fee title for other conservation lands with another public agency. Any subsequent land exchange would be evaluated in a separate EA under the Montana Environmental Policy Act (MEPA).

TNC has agreed to sell the conservation easement on the Little Doney Lake parcel with terms fully consistent with Habitat Montana Program criteria, including grazing management stipulations, a complete preclusion of residential development, and guaranteed year-round non-motorized public access. These lands connect the North Fork Blackfoot and Monture Creek drainages with the Big Blackfoot River corridor and the Garnet Range. Due to this position on the landscape, these lands are important for connecting seasonal habitats for wide-ranging populations of elk, mule deer, black and grizzly bear, gray wolf, wolverine and lynx. FWP's purpose for purchasing the land is to manage important habitat for deer, elk and other wildlife, and prevent this habitat from being sold and subdivided for residential, commercial or industrial development. Upon assuming ownership, FWP would manage habitat to enhance forest and shrub-field forage for mule deer and elk. FWP would manage public access and recreation in keeping with traditional FWP practices on the BCWMA, Ovando Mountain Unit, and the Ovando Mountain Block Management Area. Proposed management plans for both the conservation easement and fee title acquisitions are attached Appendices A and B.

FWP makes annual payments to the counties in lieu of property taxes on lands in its ownership. These payments are equal to the annual property taxes assessed to privately owned property. Therefore, this proposal would not result in a loss of property tax revenue to Powell County.

PURPOSE AND NEED FOR THE PROPOSED ACTION

Statements of Purpose

From the BCWMA long-term management plan (revised 1989)

Objective I: Manage for the maximum sustainable utilization of the winter range by elk, mule deer and white-tailed deer within the following standards:

- Soil condition and development will be maintained or enhanced;
- Adverse impacts to adjacent landowners will be reduced or mitigated;
- The condition of elk and deer populations will be maintained or enhanced;
- Elk and deer populations will be supported by natural winter forage;
- Adverse impacts on other resources such as fisheries, riparian habitats, water quality, native plant communities, and other animal populations will be avoided or mitigated. Opportunities to enhance these resources will be pursued when compatible with elk and deer management (as time and funding allow).

Objective II: Maximize public access and recreation opportunities within the following standards:

- Other WMA objectives (i.e., wildlife) will not be compromised;
- Diverse opportunities for appreciation and enjoyment by the public will be maintained. (Recreation opportunities include hunting, fishing, trapping, touring, camping, picnicking, hiking, bike-riding and horseback riding.)

Purposes specifically addressed by this proposal:

- Protect public investments and progress over the past 50 years toward establishment of an effective and secure winter range (i.e., BCWMA) for elk and deer populations of the North Fork Blackfoot and Monture Creek drainages;
- Prevent the possibility of irreversible habitat loss if key private lands adjacent to the

BCWMA are sold in the future and eventually subdivided or developed;

- Maintain and enhance forested forage at the base of Ovando Mountain to address a habitat limitation in periods of harsh winter weather for migratory populations of 500 elk and 200 mule deer;
- Maintain and enhance nonforested shrub-fields that historically expanded winter range for mule deer and elk on lower Ovando Mountain;
- Continue to provide non-motorized hunting opportunities for grouse, bear, deer and elk as well as year-round public recreational access;
- Maintain and enhance critical and highly productive wetlands and associated habitats;
- Achieve these purposes using the most cost-effective means that will allow FWP adequate control over management of habitat and public access on the subject lands in perpetuity.

Specific Summary of Purpose:

1. To protect and enhance 2,623 acres of unique and valuable wildlife habitat.
2. To secure and manage important recreational access to Project lands, and public access through them to adjacent public land.
3. To leverage scarce FWP conservation funds. FWP funds would be leveraged three fold: first, through the direct financial contributions of Project partners; next, due to The Nature Conservancy's ability to negotiate a favorable initial purchase price and pass those savings along to FWP; and, finally, because FWP may be able to negotiate a subsequent land exchange that protects additional high value wildlife habitat elsewhere in the State.
4. To support larger and regionally important conservation initiatives. The success of the Blackfoot Community Project (BCP) is strategically important to FWP's core conservation mission in the Blackfoot Valley; this project is a critical component of the BCP.

Authorities/Direction

FWP is authorized by State law to own and manage lands as wildlife habitat. The Montana Fish, Wildlife and Parks Commission (the Commission) is the decision-making authority for matters of land acquisition, disposal or exchange involving FWP-owned properties. Following Commission approval, if granted, the Montana Board of Land Commissioners (the Land Board) reviews land acquisitions, disposals, or exchanges involving FWP-owned properties over 100 acres or \$100,000 in value. FWP's proposed expenditure of an estimated \$1,846,000 of Habitat Montana Program funds to complete this project is consistent with policy adopted by the Commission in 1994. Habitat Montana funding is enabled by an act of the 1987 Montana Legislature (MCA 87-1-241-242), known as House Bill 526, which earmarked for habitat acquisition a set portion of the revenues generated from sales of Montana Sportsman's and nonresident Big Game Combination licenses.

The land and conservation easement to be purchased by FWP in this proposal would be included in the BCWMA, Ovando Mountain Unit, which was originally purchased with Federal Aid in Wildlife Restoration monies (Project W-30-L) administered by the USFWS under the authority of the Pittman-Robertson Act (P-R). Matching funds for acquisition of the BCWMA were provided by FWP from revenues generated by the sale of Montana hunting licenses. FWP uses budgeted license revenues, within spending authority granted each biennium by the Montana legislature, for routine maintenance of the BCWMA. FWP is authorized to use supplemental funds from various public and private sources, which may be awarded under specific conditions for individual maintenance and enhancement projects on the BCWMA and other properties.

FWP initially established the Ovando Mountain Unit of the BCWMA by purchasing and exchanging lands from 1957 through 1965 for the purpose of carrying on wildlife restoration projects in accordance with P-R. More specifically, FWP manages this property primarily to provide important winter range for elk and deer, as outlined and described in the Application for Federal Assistance (Project W-30-L) and management plan for the BCWMA (on file at FWP, Region 2).

Area Description/Wildlife Resources

The BCWMA is located in the Blackfoot Valley of west-central Montana, along both sides of the Missoula-Powell Counties line, with most of the property lying along the north side of Highway 200 between Blanchard Creek and the North Fork of the Blackfoot River. The nearest communities are Greenough, Seeley Lake, and Ovando. The wood products, ranching and recreation/tourism industries support the local economy. Missoula is the nearest major population center, located about 45 miles west of the BCWMA.

Ovando Mountain, at 7,799-feet in elevation, is the main topographic feature of the Ovando Mountain Unit of the BCWMA. Douglas-fir forest is the dominant vegetation at upper elevations, grading into ponderosa pine forest around the base of the mountain. The steep sloping, south face of Ovando Mountain covers about 4,000 acres, which constitutes the extent of FWP's current ownership in the area west of Monture Creek.

A migratory elk herd depends upon core habitats within the Ovando Mountain Unit of the BCWMA for winter range. FWP studies of radio-equipped elk have documented a yearlong home range of about 120,000 acres for this BCWMA elk herd, with habitually occupied summer ranges extending from lower Monture Creek and the lower North Fork near Ovando to Canyon Creek and Dwight Creek in the Scapegoat Wilderness. Thus, changes in elk habitat on the BCWMA may directly affect opportunities for the public to hunt and view elk across a much larger area in west-central Montana, including portions of the Lolo National Forest and accessible state and private lands.

Portions of the BCWMA also provide important winter range for migratory and resident subpopulations of 200 mule deer and 200 white-tailed deer. Numerous federally and state listed threatened and sensitive species occur on the subject lands; their acquisition by FWP would provide material and immediate protection of these species' habitats. The occurrence of nearly 200 wildlife species was documented on the BCWMA in the 1990s (checklist is available from the FWP Missoula office).

Lands subject to this proposal would significantly compliment current FWP administered BCWMA lands. The Little Doney parcel contains abundant productive wetlands, aspen galleries, and is highly valued by recreational users year-round. Sections 17 & 18 are highly productive *crucial* elk and deer winter range, provide a transition between the steeper slopes on the current BCWMA and valley bottom habitats, and if incorporated into the BCWMA would provide administrative access to the WMA that FWP currently lacks.

Description of Subject Lands

Sections 17 & 18 (North Parcel)

The 1,280-acre property is principally a mix of regenerating forests of ponderosa pine, western larch, lodgepole pine, and Douglas-fir in the uplands, and spruce in the lower portions. Aspen is present throughout. Openings are vegetated with serviceberry, snowberry, snowbrush, and willow.

This parcel is identified by FWP as *crucial* elk and deer winter range and is part of the fall-winter-spring range for about 500 elk and about 200 white-tailed deer and 200 mule deer. These parcels are also important habitat for ruffed and blue grouse, black bear, mountain lion, coyote, moose, wolf and grizzly bear.

The parcel was managed by a series of industrial timber companies prior to its acquisition by TNC in 2004. The property burned along with most of the south face of Ovando Mountain in 1919. The result was recruitment of excellent browse forage for wintering elk and mule deer in the mid-1900s (Reuel Janson, pers. comm.). In the late 1900s, forest succession had progressed to the point that conifers have begun to shade out deciduous browse on much of Ovando Mountain (see the Masters Thesis by Scott K. Thompson, 2002, *Browse Condition and Trend on Montana Ungulate Ranges*, Montana State University, Bozeman.).

This parcel is currently encumbered by a conservation easement held by the USFWS that prohibits the draining of wetlands, sodbusting, subdivision, and the construction of non-

agricultural buildings. Timber harvest may occur following an approved plan.

Little Doney (South Parcel)

The Little Doney property is located in north Powell County, about 4.5 miles ENE of Ovando, at the base of Ovando Mountain. Elevations range from 3,900 to 4,200 feet across approximately 1,103 acres. The landform generally is a bench intersected by northeast-southwest running draws. The principal wetland feature is Little Doney Lake, among other dry or seasonally wet potholes. The property is principally forested with ponderosa pine, western larch, and Douglas-fir in the uplands, and spruce in the lowlands. The forest has been commercially harvested over multiple entries, leaving mature timber, snags, and regeneration patchily distributed across the property. Aspen is abundant throughout. The understory is a mix of rough fescue, elk sedge, serviceberry, snowberry, and willow. Spotted knapweed is the main noxious weed problem at present.

The Little Doney property is part of the fall-winter-spring range for about 500 elk and about 200 white-tailed deer and 200 mule deer. In addition to ruffed and blue grouse, black bear, mountain lion, coyote, moose and wolf, these parcels are also important occupied habitat for grizzly bear and waterfowl, owing in part to the wetlands and associated broad riparian areas near the North Fork of the Blackfoot. One of very few common loon nest sites in the Blackfoot watershed exists on Little Doney Lake and the lake supports identified trumpeter swan nesting habitat.

The property was owned by Plum Creek Timber Company from the early 1990s through 2006 and was managed for commercial timber production. Livestock grazing has been part of the historic land-use practices, although not for the past several years. The property is highly valued as a public hunting area, and has been an important part of the Ovando Mountain Block Management Area (administered by FWP on behalf of several cooperating landowners) since 1990. It is also currently an important link in the public snowmobile trail connecting Seeley Lake and Lincoln in winter; however, FWP and user groups are actively working to find a more suitable trail location that would direct the majority of this use north of the parcel.

Problem Synthesis/Rationale

Montane forests and associated riparian areas at low elevations in western Montana are being subdivided and lost as wildlife habitat. Habitat management is rapidly changing from a wildland and landscape-scale perspective to one of protecting the urban and suburban interface from wildfire. Particularly in the Blackfoot watershed, low-elevation private forests are important functional components of fall-winter-spring ranges for elk, mule deer and white-tailed deer in association with adjacent rangeland and agricultural habitat features. Montana is rapidly losing these low elevation forested habitats that make adjacent rangelands, riparian areas and agricultural lands so important to wildlife today. In many cases, these are the very lands that are first chosen for subdivision and development.

In the mid-1980s, FWP began taking steps to block up FWP ownership or management control in the most critical habitats within the BCWMA. When land subdivision was threatened, FWP negotiated purchase of the Dreyer Ranch in 1989 to secure 2,960 acres of important spring and fall habitat along a primary elk migration link to the core winter range. Also in 1989, FWP and the Montana Department of Natural Resources & Conservation (DNRC) cooperated to bring 2,367 acres of Champion International Corporation property into DNRC ownership within the core winter range, and then completed an exchange between the two state agencies in 1995 to transfer most of these lands and additional DNRC lands (totaling 3,487 acres) to FWP. In 1998, FWP exchanged fee-title ownership of 254 acres on the west side of Highway 83 for a perpetual conservation easement across 641 acres of the Reinoehl Ranch.

In 1990, FWP initiated discussions with Champion International Corporation to acquire a perpetual conservation easement that would prevent subdivision and development on the 7,800 acres of corporate inholdings within the core winter range. Talks with Champion continued into 1993, but were curtailed with Champion's decision to sell its Montana timberlands. In early 1994, FWP renewed discussions about the corporate inholdings after Plum Creek Timber Company assumed ownership and management control. Plum Creek officials indicated that the company did not foresee selling or gifting a conservation easement on its lands in the BCWMA,

but encouraged FWP to develop opportunities for land exchanges, and talks continued. In late 1998, Plum Creek offered to discuss an initial sale of 856 acres to FWP and the Rocky Mountain Elk Foundation (RMEF). This combined with newly emerging opportunities for land exchanges involving DNRC and potentially the Lolo National Forest over the remainder of the 7,800-acre Plum Creek inholdings gave rise to the 50th Anniversary Project, commemorating the 50th year of the BCWMA.

In 2000, Plum Creek sold 856 acres to FWP and RMEF, which constituted Phase 1 of the 50th Anniversary Project. There was considerable publicity associated with Phase 1 because of the effort spearheaded by RMEF and the Five Valleys Land Trust to raise private funds for this purchase. RMEF donated its interest in the Phase 1 property (worth approximately \$600,000) to FWP at a meeting of the Montana Fish, Wildlife & Parks Commission in March 2003.

Phase 2 of the 50th Anniversary Project was a land exchange involving Plum Creek, DNRC, and FWP. FWP initially approached several potential partners for land exchange, including other state entities, private conservation organizations and neighboring federal agencies. None had sufficient land bases or land management priorities to exchange into the entire Plum Creek inholdings of interest. FWP first approached DNRC in 1995 to suggest a land exchange with Plum Creek to block up DNRC ownership within the BCWMA. DNRC agreed to consider a trade of scattered tracts to Plum Creek in exchange for 3,040 acres of Plum Creek inholdings within the BCWMA. In addition, FWP and DNRC agreed to consider an exchange of lands within the BCWMA to transfer the most critical winter range into FWP ownership. These exchanges were completed in fall 2002. In February 2004, the Fish, Wildlife & Parks Commission approved FWP's recommendation to purchase a conservation easement over the approximately 6,849 acres of DNRC land within the core BCWMA, and Land Board followed with its concurrence in March.

Concurrent with the development and progress of the 50th Anniversary Project, the Blackfoot Challenge and The Nature Conservancy (TNC) entered into discussions with Plum Creek regarding the future of Plum Creek lands from the BCWMA to the Blackfoot headwaters.

The outcome of those discussions and subsequent negotiations was a “purchase and sale” agreement for TNC to purchase about 88,000 acres of Plum Creek land from 2004-2008 (The Blackfoot Community Project). TNC and Plum Creek closed on the first 41,000 acres in a series of transactions in 2004-2005. The second transaction included the Phase 3 lands (50th Anniversary Project) on the BCWMA. RMEF subsequently purchased the 3,834-acre Phase 3 lands from TNC and held them for FWP to purchase in Fall 2004. FWP followed these transactions with the purchase of the 180-acre Jacobson/Valiton inholding within the Ovando Mountain unit of the BCWMA in 2007.

TNC intends to conserve the resources and traditional uses of any lands it acquires in the Blackfoot by selling them to private and public entities, in accordance with a disposition plan developed by local communities via a process coordinated by the Blackfoot Challenge. The communities have identified FWP as the preferred entity to acquire conservation easements and fee-title to the subject lands north of Ovando, at the base of Ovando Mountain. It would hardly seem possible that local communities could be any more invested in any habitat project than this one coordinated by the Blackfoot Challenge, nor could the general public be more aware.

FWP’s interest in acquiring the subject lands is to avoid the probable serious loss of wildlife habitat and public access in the future. This threat is described as probable in the long run because of strong market incentives to divide scenic and accessible property into small parcels and develop homesites. The potential replacement of elk and deer winter range with houses, fences, driveways, garages, barns, and other structures constitutes a direct loss of exceptional winter habitat values for most of the BCWMA mule deer and elk populations. Human activity associated with residential areas, including vehicle traffic, livestock, pets and outdoor recreation, would displace elk and deer from otherwise suitable habitat within an expanded radius around the homes. Future residents might even choose to introduce artificial food sources to attract wintering deer and elk, which would disrupt natural movements and habitat-use patterns, and concentrate animals in a manner that would degrade native habitats and increase the probability of disease transmission. The potential for these impacts to wildlife, as well as lost access and recreational opportunities for the general public, would increase as

housing densities increased, but FWP predicts that serious impacts could occur with as few as one poorly located and managed homesite on the subject lands.

Although the S17 & S18 parcel is currently encumbered by a USFWS conservation easement, there is no provision for guaranteed public recreational access and FWP's influence on future habitat management is limited. Further, FWP lacks full administrative access to its lands in the Ovando Mountain. unit of the BCWMA; acquisition of these parcels would provide legal access critical to enable future habitat management on the larger 4,000-acre portion of the WMA.

DESCRIPTION OF THE PROPOSED ACTION

Montana Fish, Wildlife & Parks (FWP) proposes to:

1. acquire fee title to approximately 2,623 acres, in three distinct parcels, from The Nature Conservancy, for approximately \$1,522,000.
2. purchase a conservation easement across approximately 1,103 acres of the Little Doney Lake southern parcel with approximately \$324,000 of Habitat Montana funds after partners' match contributions are applied.

Funding for these transactions would come from FWP's Habitat Montana Program, a USFWS NFHCP grant, a Montana Migratory Bird Stamp Program grant (prospective), a USFWS NAWCA grant, a Montana Fish and Wildlife Conservation Trust grant, the Blackfoot Challenge, and private donations (Table 1).

Table 1. Summary of in-hand and prospective match to support the FWP's acquisition of the Little Doney Lake easement and fee title purchases.

<u>Little Doney Lake Habitat Acquisition Project funding summary</u>	
<u>Project Costs</u>	
S17 & S18 fee:	\$521,478
Little Doney Easement	\$1,873,626
Little Doney fee remainder	\$1,000,877
<u>Match, <i>in hand</i></u>	
USFWS NAWCA	\$500,000
MT Fish and Wildlife Conservation Trust	\$100,000
USFS NFHCP Land Acquisition Program Grant	\$600,000
PCTC/TNC Conservation Easement Fund	\$75,000
Blackfoot Challenge private fundraising	\$25,000
Total	\$1,300,000
<u>Match, <i>prospective</i></u>	
MT State Migratory Bird Stamp Program	\$250,000
 Acquire S17 & S18 fee remainder, acquire CE on Little Doney lake parcel, acquire fee remainder Little Doney.	
Total Cost	\$3,395,981
Total match, <i>in hand</i>	\$1,300,000
 <i>Habitat Montana</i> request excluding prospective match	 \$2,095,981
<i>Habitat Montana</i> request including prospective match	\$1,845,981

Fee Title Purchase

FWP proposes to purchase fee-remainder for both the Little Doney (South) and S17 and S18 (North) parcels from The Nature Conservancy. The Nature Conservancy would then donate 220 acres on Elk Mountain (Northeast) directly to FWP. S17 and S18 are currently encumbered by a conservation easement held by the USFWS, the Elk Mountain parcel is unencumbered, and FWP hopes to leverage the extraordinary in-hand match funding to purchase a conservation easement on the Little Doney parcel (see below). All parcels would be incorporated into the Ovando Mountain unit of the BCWMA and managed to maintain and improve wildlife habitat

and recreational access.

Little Doney Conservation Easement

Plum Creek Timber Company withheld the 1,103-acre Little Doney property from the BCP options it sold to TNC in 2004, and actively marketed the property for sale. In 2006, the Blackfoot Challenge partners finally negotiated a plan that allowed TNC to purchase this productive wildlife habitat from Plum Creek. FWP had initially worked to help support the encumbrance and sale of the parcel to adjacent landowners. However, a satisfactory agreement was not reached and FWP and partners have worked since then to bring the parcel into public ownership. A tremendous amount of successful agency and private fundraising to purchase a conservation easement on the property has already occurred. To date, partners have secured \$1,300,000 in grants and donations to help FWP purchase a conservation easement on the property that it would hold and monitor in perpetuity. Grant requests to FWP's Habitat Montana and Migratory Bird Stamp Programs adequate to complete the easement purchase are pending (Table 1).

The easement and associated management plan would prevent significant habitat degradation by any means. Agricultural practices would be specifically allowed in the future, including livestock grazing and timber harvest consistent with approved plans. Year-round walk-in public access would be guaranteed. Commercial uses other than agricultural uses, including commercial outfitting for hunting or charging fees for hunting, would be prohibited. If FWP does not hold fee title to the property in the future, FWP would annually visit with the future owner and review the terms of the conservation easements.

Benefits of the Proposed Action

The proposed action would prevent residential or commercial development on this important wildlife habitat and would protect the public's sizable investments in the BCWMA and the local deer and elk populations. This action would also preclude other plausible and potentially serious outcomes in this sensitive location. Under FWP ownership, opportunities would exist to enhance important habitat features such as production of tree lichens, browse and grass forage. This proposed action would benefit virtually the entire elk and mule deer

population between Monture Creek and the North Fork of the Blackfoot River. The Ovando Mountain Block Management Area alone accounts for well over 2,000 hunter-days each fall, and associated elk and deer populations support tens of thousands more hunter-days of public recreation across the Monture Creek drainage and the southwest Scapegoat Wilderness. The subject lands provide critical and limited habitat for a host of other sensitive species including common loon, trumpeter swan, grizzly bears, and migratory birds.

This rare opportunity to obtain these benefits has been provided through partnership with Plum Creek, TNC, The Blackfoot Challenge, The Blackfoot Community Conservation Area Advisory Council, and local communities, which would be difficult—if not impossible—to replicate in the future if this project is not completed at this time. The purchase of S17 and S18 would not only secure *crucial* elk and deer winter range but also augment FWP’s ability to manage habitat across the Ovando Mountain unit of the BCWMA and provide full legal administrative access to BCWMA lands.

ALTERNATIVES TO THE PROPOSED ACTION

FWP considered the alternative of taking no action regarding the subject lands. The no-action alternative would not allow FWP to control the course of any future property sales and commercial and residential developments within an area where such developments could negatively impact wildlife populations when they occupy important seasonal ranges on and near the BCWMA. More than \$1,300,000 in public and private match funding has been secured to support FWP’s acquisition of the Little Doney Conservation Easement; these dollars may only be used for this purpose and, without the requested FWP Project completion funding and Project approval, it is likely that an entity other than FWP will ultimately hold a conservation easement on the property. In addition, lack of funds will likely require that ownership of the property be split. FWP would lose the opportunity to consolidate its ownership and management of critical wildlife habitat, ceding this to other agencies and parties that do not have FWP’s habitat conservation mandate. If S17 and S18 are not acquired, FWP would continue to only be able to access the Ovando Mountain Unit of the BCWMA at the discretion of adjacent landowners.

ENVIRONMENTAL EFFECTS OF THE PROPOSED ACTION AND NO ACTION

Threatened and Endangered Species

The gray wolf is listed as endangered in Montana, and is routinely observed on subject lands. The proposed action would be consistent with the goal of recovering wolf populations in northwestern Montana by protecting and potentially improving habitat for important prey species (i.e., elk and mule deer) and by contributing to the protection of a large block of land that is uninhabited by humans. The no-action alternative would allow the possibility of future losses in habitat for prey species used by wolves and increases in potential conflicts with humans if land subdivision or related developments occur.

Bald eagles are classified as threatened in Montana. Active bald eagle nests exist along the Blackfoot River, but none are known to occur within 1-mile of the subject lands. The proposed action would protect and allow development over time of potential nest sites with a fair probability of occupancy (due to the proximity to the Big Blackfoot River). No-action would result only in a minor added risk of future human activities on or originating from the subject lands that could impact bald eagles.

Grizzly bears are classified as a threatened species in Montana. Grizzly bears heavily use the subject lands post emergence through late fall. The proposed action is consistent with the goal of recovering grizzly bear populations in Montana both because it would protect the subject lands from the possibility of being subdivided and developed and because FWP's conservation mandate would assure grizzly habitat quality and security are maintained. No action would allow the possibility for increases in potential conflicts with humans if land subdivision or related developments occur.

Lynx are federally listed as a threatened species in Montana. The proposed action would maintain the availability of these habitats for lynx, but this could not be guaranteed under no-action.

Bull trout are federally listed in Montana. The USFWS recognized the importance of the Blackfoot Community Project generally, and the Little Doney Lake parcel specifically, when it

awarded FWP a series of Native Fish Habitat Conservation Plan Land Acquisition Grants beginning in 2006. The North Fork of the Blackfoot River is one of the most important bull trout spawning streams in Montana and is directly adjacent to the Little Doney Lake property. Subdivision and/or poor management of this parcel would have direct and permanent impacts on bull trout habitat quality in the North Fork of the Blackfoot.

Sensitive Species

The proposed action would encourage the recruitment of large-diameter ponderosa pine and Douglas-fir, both living and dead, and retain dense thickets in patches, and maintain and restore aspen galleries. This would enhance habitat for sensitive species likely to occur on the subject lands such as flammulated owls, black-backed woodpeckers, pileated woodpeckers, and fisher. For all sensitive species, the proposed action would provide a measure of protection on the subject lands from habitat loss by removing the possibility of future subdivisions or other developments, but no-action could prove detrimental in the long-term by leaving that possibility open.

Little Doney Lake contains an active natural nest site for common loons and identified habitat for trumpeter swans (currently being reintroduced to the Valley by the USFWS). The draft management plan for the proposed Little Doney Conservation Easement would avoid habitat degradation and minimize human disturbances around Little Doney Lake from May 1 through August 31 annually. Under the no-action alternative, FWP would have less standing to control human disturbance and habitat alteration to benefit common loons on private land.

The North Fork of the Blackfoot is a critical stream for all life phases of the westslope cutthroat trout. Protecting habitats adjacent to the North Fork ensures that future subdivision and/or management practices do not degrade this crucial fisheries habitat.

Elk and Deer Winter Range

The no-action alternative would leave an important portion of the BCWMA winter range and elk and deer populations vulnerable to future management decisions by public or private

landowners, who would likely manage to achieve objectives inconsistent with the general public interest in wildlife. The proposed action would strengthen the continuity of purpose for management of the BCWMA winter range, and would benefit elk and deer compared with no action.

Predators and Scavengers

A diversity of wildlife species are associated with, and benefit from, the prey base provided by migratory herds of elk, mule deer, and white-tailed deer. During winter, concentrations of elk and deer on or near the subject lands amount to a resource of prey animals numbering up to 900 animals annually. Approximately 5% of this potential prey base is actually used by predators and scavengers on the BCWMA annually. This prey base also supports predator and scavenger species in more remote locations during spring, summer and fall.

Humans are the primary predators on the BCWMA deer and elk populations. Mountain lion, black bear, grizzly bear, gray wolf, coyote, and golden eagle currently prey upon these deer and elk populations, and predator numbers may be expected to fluctuate with the prey. In addition, magpies, ravens, bald eagles, pine martens, gray jays, goshawks, weasels, and striped skunks feed upon carrion on or near the subject lands during winter and/or spring. Antlers and bones are food for porcupines and other rodents. When deer and elk move to summer range, they feed fisher and wolverine in addition to the predators and scavengers previously noted.

No-action would leave the elk winter range on the BCWMA vulnerable to incompatible future management of the subject lands. The proposed action would maintain habitat for current deer and elk levels, which would be to the benefit of predators and scavengers on the BCWMA.

Wetlands/Floodplains

There is no designated floodplain affected by this proposal. Several perennial and intermittent stream courses cross the subject lands, with narrow and broken riparian zones. Lands under FWP ownership or easement would be managed to specifically protect wetland and riparian areas, almost always to a greater degree than required by state law. The proposed action

would provide increased opportunity to manage forest structures and landscapes to develop broader habitats for wildlife, centered on these watercourses.

Prime or Unique Farmlands

There are no "prime or unique farmlands" or "farmlands of statewide or local importance" on the subject lands, as designated by the Missoula County Conservation District of the U. S. Natural Resource Conservation Service. Farmlands of local importance are defined as land, in addition to prime and statewide, that could be farmed, is relatively flat (0-15 percent slopes) and currently non-forested.

Hunting

FWP estimates that the BCWMA elk herd supports a hunting economy worth over \$1,000,000 annually. Based on the FWP statewide harvest surveys, 5,800 hunters spend 42,000 hunter-days annually in pursuit of elk in all or portions of deer/elk Hunting Districts (HDs) 281, 282, 283, 285, 130 and 150. Extrapolating from the harvest survey and elk population surveys made by FWP biologists, hunters harvest 150 bulls and 150 antlerless elk from the BCWMA elk herd annually. The Ovando Mountain Block Management Area, within which all subject lands are included, hosted well over 2,000 hunter days alone in 2007.

Potential impacts of this proposal on hunting opportunities follow those previously described under the heading of Elk and Deer Winter Range. To summarize, the no-action alternative would risk a substantial loss in elk and mule deer hunting opportunity at the BCWMA. The proposed action would benefit hunting within the ranges of the BCWMA elk and mule deer populations by securing favorable, long-term management of an important unit of winter range.

Forest management

Under the proposed action, FWP would incorporate the subject lands into its comprehensive management plan for the BCWMA. FWP's forest management strategy on the subject lands would be to speed forest regeneration and avoid further short-term losses of

forested forage and effective cover on the Little Doney Lake property. Recruitment of older age class, shade intolerant, species such as fir and ponderosa pine would be encouraged on S17 and S18 and the Elk Mountain parcels. In addition, FWP will pursue the restoration of woody browse communities through the use of prescribed fire and/or mechanical treatments. FWP and private landowners have no immediate plans for harvesting timber on the subject lands, but FWP recognizes the potential for using carefully prescribed, silvicultural treatments to manipulate habitats to achieve wildlife objectives. Any proposal for using commercial or precommercial timber harvests to accomplish these objectives would be thoroughly described and analyzed in an environmental review process with public participation (i.e., MEPA). Under the no-action alternative it is unknown how and for what purpose timber harvest would occur.

Public access

The subject lands lie within the current boundaries of FWP's deer/elk HD 285, and the Ovando Mountain Block Management Area. Under the proposed action, all BCWMA lands within HD 285, would be open to public access by nonmotorized means year-round. Under the no-action alternative, public access to the subject lands may not be maintained into the future.

Livestock grazing

Generally, grazing opportunities and values for livestock are poor on the subject lands, due to steep slopes and forested cover. Under the proposed action, livestock grazing would only be allowed in a manner (to be reviewed by FWP) that conserves wildlife habitat on lands FWP owns or holds easements on. No-action would leave the option open for a future lessee or landowner to graze livestock. The most likely scenario for future livestock grazing under no-action would be grazing by horses, llamas or other riding or pack animals that might be kept at a private residence or hobby ranch. Such grazing often is confined and concentrated on small acreages (pastures), resulting in damage to soil and vegetation.

Air and Water Quality

The proposed action would likely result in a net reduction in potential future risks to air and water quality on the subject lands, compared to no action. Possibilities for residential,

commercial and industrial developments would be reduced or eliminated across the subject lands. Under the proposed action, FWP would expect to use prescribed fire to stimulate understory forage production and quality on an occasional basis (e.g., during a 5-day period every decade), and slash burning may be required after occasional logging treatments (e.g., one occurrence per decade). Overall, impacts to air quality of burning events on the subject lands would probably not exceed, and would more likely be less than, the impacts that would occur under continued ownership by corporate timber managers. Under FWP ownership, burning would be in compliance with state airshed management directives, in consultation with DNRC.

The potential for impacts to water quality exist along perennial and intermittent streams during spring runoff. Under the proposed action, FWP would minimize activities that would disturb slopes, and would ensure effective road drainage, maintain or improve vegetation establishment on cutslopes, and take other measures as needed to further stabilize slopes above watercourses. The potential for water quality impacts would be less under the proposed action than if vehicle traffic and other human activities increased as a result of residential or commercial developments on the subject lands in the future. FWP would include the subject lands in its consideration of future needs for remedial work to comply with Best Management Practices.

Historic and Cultural Resources

FWP must provide the protections and considerations offered under the Montana Antiquities Act for historic and cultural resources recorded on lands owned by FWP. No sites of historic or cultural importance are known to exist on the subject lands, but a determination would be required from a qualified archaeologist if FWP proposed to engage in management activities that would impact previously undisturbed sites. At this time, such protections are not afforded historic and cultural resources on the subject lands while they remain in private ownership.

Impacts on Economies and Communities

Potential economic and human social impacts are addressed in the attached socio-economic assessments (Appendices C and D). There would be no effect on the tax base of

Powell County because FWP makes annual payments to the counties in amounts equal to the property tax assessments on lands in its ownership.

Cumulative Impacts

No-action could ultimately contribute to the cumulative regional and local loss of wildlife habitat in general, if the subject lands are managed in a manner incompatible with the needs of wildlife. Conversely, the proposed action would not be expected to contribute to a cumulative impact in a measurable way and would preserve important habitats linking mountain ranges and major drainages.

PUBLIC INVOLVEMENT

FWP has consulted closely with potentially affected agencies and neighbors, including, DNRC, Lolo National Forest, The Nature Conservancy, the BCCA Advisory Council, and the Blackfoot Challenge in the development of this proposal. Formal public participation specific to FWP's proposed purchase of fee title and easements on the 2,623 acres described in this document and will begin with the availability of this draft environmental assessment (EA) for public review and comment. The availability of this EA for public review will be advertised in the local, Missoula-area, and statewide media, and a copy of the draft EA will be mailed to all parties who indicate an interest in this proposal. The EA will be posted on FWP's website at <http://fwp.mt.gov>, under Public Notices. The public review period will be from October 16, 2008 through 5 P.M. on November 17, 2008. A public hearing will be held at the Ovando Fire Hall on November 3, 2008 at 6:30 P.M. After reviewing public input, FWP will revise and finalize the draft EA and prepare a record of decision. The Fish, Wildlife and Parks Commission and the Land Board will be asked to render a final decision on this proposal at the regularly scheduled meeting of each body in December 2008, based upon a thorough review of public comment.

Comments should be addressed to Jay Kolbe; Montana Fish, Wildlife & Parks; PO Box 1288, Seeley Lake Montana, 59868 (phone 406-677-0162; email jkolbe@mt.gov). Comments must be received no later than 5 P.M. on November 17, 2008 to ensure their consideration in the

decision-making process.

NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on an evaluation that the proposed action will not have a significant impact on the physical and human environment, under MEPA, the proposed action is not a significant action affecting the physical and human environment. Therefore, an environmental impact statement is not a necessary level of review.